

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

AMERIS BANK, as Assignee of
the Federal Deposit Insurance
Corporation, Receiver of Derby
Bank and Trust Co.,

Plaintiff,

v.

SB PARTNERS, LLC and ROY S.
SHIVER, JR.,

Defendants.

CV 614-097

O R D E R


On April 15, 2015, Plaintiff moved for summary judgment on all of its claims against Defendant Roy S. Shiver, Jr., which arise out of Mr. Shiver's guarantee of two promissory notes executed by Defendant SB Partners, LLC ("SB Partner") in the amount of \$7,898,382.00. (Doc. 22; Doc. 23 at 1-5.) The Court previously entered default judgment against SB Partners. (Docs. 13, 18, 19.) Although Mr. Shiver answered the Complaint and participated in the Rule 26(f) conference (Docs. 12, 16), he since has failed to respond to Plaintiff's Motion for Summary Judgment (Doc. 22). The Court is reluctant to rule on the motion without first hearing from Mr. Shiver.¹

Under Local Rule 7.5, failure to respond to a motion generally indicates that the motion is unopposed. Nevertheless,

¹ Mr. Shiver's response was due May 11, 2015. (Doc. 25.)

the Court recognizes that Mr. Shiver is acting pro se in this case and that Defendant's motion is dispositive in nature. Therefore, the Court **ORDERS** Mr. Shiver to file a response to the motion for summary judgment by 5:00 PM on WEDNESDAY, MAY 27, 2015. Thereafter, the Court will rule on the motion, and if Mr. Shiver still fails to respond, the Court will deem the motion unopposed. See LR 7.5, SDGa.

ORDER ENTERED at Augusta, Georgia, this 15th day of May, 2015.


HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA